BURIALS IN CHURCHYARDS (IRELAND).

RETURN to an Order of the Honourable The House of Commons, dated 4 May 1868;—*for*,

RETURN "of all Written STATEMENTS of the CAUSES of REFUSING PERMISSION to any CLERGYMAN or MINISTER of any CHURCH or CONGREGATION, not being of the ESTABLISHED CHURCH of *Ireland*, to officiate in any CHURCHYARD at a FUNERAL, under the Provisions of 5 Geo. 4, c. 25, together with COPIES of all such DOCUMENTS transmitted to the Lords Lieutenant of *Ireland* since the passing of the said Act."

DIOCESE OF ARMAGH AND CLOGHER.

Diocese.	Parish.	Name of Incumbent of Parish.	Name of Clergyman or Minister to whom Permission to Officiate at Funeral in Churchyard was refused.	Name of Person whose Corpse was to be Buried.
Armagh - - -	Kilmore - - -	Rev. James Jones -	Rev. Edward Best, Wesleyan Minister, Armagh.	Mrs. Walker.
Clogher - - -	- None - -	- None - -	- None - - -	- None.

COPY of DOCUMENT transmitted to the Lord Lieutenant of *Ireland* relative to the above Case.

"Kilmore, County Armagh,
"27 December 1864.

"I decline to give Mr. Edward Best, Wesleyan minister of Armagh, permission to perform, in the churchyard of the parish of Kilmore, a service according to the use of the Wesleyan Methodists, at the interment of the remains of the late Mrs. Walker in said churchyard on the 17th instant. My reasons for declining to give such permission are: firstly, 'I consider the mode of performing such service to be objectionable,' and secondly, 'As a rule, I do not desire my churchyard to be made use of for the display of religious practices of which, at the same time, I, in my conscience, disapprove.'

"Robert Riddall, Registrar, Diocese of Armagh. "*James Jones.*"

Armagh, 12 May 1868. *Robert Riddall*, Registrar.

DIOCESE OF MEATH.

— Nil. —

DIOCESE OF DERRY.

— Nil. —

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DIOCESE OF RAPHOE.

— Nil. —

DIOCESES OF DOWN AND CONNOR AND DROMORE.

— Nil. —

EXEMPT JURISDICTION OF NEWRY AND MOURNE.

— Nil. —

DIOCESE OF KILMORE.

— Nil. —

DIOCESE OF ELPHIN.

— Nil. —

DIOCESE OF ARDAGH.

— Nil. —

DIOCESES OF TUAM, KILLALA, AND ACHONRY.

— Nil. —

UNITED DIOCESES OF DUBLIN, GLANDELAGH, AND KILDARE.

A RETURN of the only case of the nature alluded to in the order was furnished by the late Registrar of the Diocese of Dublin and Glandelagh, on the 18th day of June 1857, in compliance with a letter received from the Under Secretary, Dublin Castle, bearing date the 9th day of June 1857.

The following is a copy of the said Return :—

"On the 3rd day of March 1856, pursuant to directions received by me from his Grace the Archbishop of Dublin, I transmitted to his Excellency the Lord Lieutenant of Ireland a written statement of the Venerable William Fitzgerald, D.D., the then incumbent of the Union of Monkstown, in the Diocese of Dublin, relative to his having refused permission to the Rev. Denham Smith to perform burial service in the churchyard of the parish of Monkstown, such statement was signed by me as Registrar of the Diocese, said declaration was the only one that I am aware was required to be made in the diocese of Dublin or Glandelagh under the provisions of said statute from the date thereof to the present time, the original statement having been forwarded by me to his Excellency, and not having kept any copy thereof, I cannot return any copy as required by said order.

(signed) "*John Samuels*, Not. Pub.,
"Registrar of the Diocese of Dublin and Glandelagh.

"Consistorial Office, 18 June 1857."

From the date of the above Return to the present there has not been any "written statement of the causes of refusing permission to any clergyman or minister of any church

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church or congregation, not being of the Established Church of Ireland, to officiate in any churchyard at a funeral under the provisions of 5 Geo. 4, c. 25;" nor has there been to our knowledge any such refusal in the Diocese of Dublin, Glandelagh, and Kildare, or any of them under the provisions of said statute.

(signed) *Samuels & Brown*, Registrars,
United Dioceses of Dublin, Glandelagh, and Kildare.

20 May 1867.

Consistorial Office, Dublin,
4 March 1856.

Sir,

I AM directed by his Grace the Archbishop of Dublin to transmit the enclosed letter from the Venerable William Fitzgerald, D. D., to his Grace, to be laid before His Excellency the Lord Lieutenant, pursuant to the Act 5 Geo. 4, c. 25.

I have, &c.
(signed) *John Samuels*, Registrar,
Dioceses of Dublin and Glandelagh.

To the Under Secretary,
Dublin Castle.

To His Grace the Archbishop of *Dublin*.

My Lord,

HAVING recently declined to give a written authorisation to the Rev. J. D. Smith (being a minister of a Protestant Dissenting congregation) to perform such religious services as he might see fit at a funeral in my churchyard of Monkstown, in your Grace's diocese, I beg respectfully to lay before your Grace my reasons for that refusal.

1. I believe that I, as incumbent, am a trustee for the Church, and bound to act in reference to its rights and property in conformity with what I sincerely judge to be the intention of the Church, so far as I legally can; and I am fully satisfied that, in the intention of the Church, as it is to be gathered from its canons and practice, the *churchyard* is as much set apart for its own religious services as the edifice commonly called the *Church*; the churchyard being the place where *one* part of those services is to be performed, as the Church is the appropriate enclosure for *the rest*. Hence it seems to me unreasonable that I, in the very capacity of parson of the parish and trustee for the Church, should be expected to give a formal permission under my hand to persons unauthorised by the Church, for the performance, in a place set apart for the religious worship of the Church, and which is the Church's property, of services substituted for that which the Church itself prescribes in the Book of Common Prayer.

2. I cannot but feel that, in giving permission to a person not authorised by the Church to officiate in my churchyard, I make myself more or less *responsible* for what he may say or do in consequence of that permission. And hence, in the case of Protestant Non-conformists, I am under this difficulty, that, inasmuch as they have no fixed Liturgy to which their ministers are bound to adhere, I can have no security beforehand for what may be said or done, except the personal qualification and character of the Minister himself; and it would be putting upon me a disagreeable and invidious office to require that I should in each case sit in judgment on the character and attainments of each particular applicant, and if in any case dissatisfied make a *personal* distinction which could not fail to be offensive in itself, and to prove the more so by being returned as a *personal* objection in writing to your Grace to be transmitted through the public registrar of the Diocese to the Lord Lieutenant of Ireland.

On the other hand, I cannot feel myself justified in giving *indiscriminate* permission to all who may now, or at any future period, present themselves as dissenting ministers to perform whatever ceremonials and address whatever harangues they please to any number of persons they may be able to collect, in a place which is the property of the Church, and set apart for the services of the Church, and of which I am, in law and conscience, the guardian and trustee.

(signed) *William Fitzgerald*, D.D.,
Incumbent of Monkstown.

DIOCESES OF OSSORY, FERNS, AND LEIGHLIN.

— Nil. —

DIOCESES OF CASHEL, EMLY, WATERFORD, AND LISMORE.

— Nil. —

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(*Mr. Vance*)

Ordered, by The House of Commons, *to be Printed*, 30 *June* 1868.

370. *Under* 1 *oz.*

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